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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,861	01/18/2000	Jeffrey Kohl Wilkins	SFT-101	1211

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 05/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/484,861

Applicant(s)

WILKINS ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION-Application # 09/484861*****Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA-35 U.S.C. 102(e)).

Claims 1-9, 11, 18, 22, 23-26, 29, 32, 33-41, 43, 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Verba, et al (US 6,236,977).

As per claims 1, 33, Verba, et al discloses:

Identifying purchase indicators...(Col. 9, lines 28-34);

Extracting prospect identifiers...(Col. 9, lines 36-38, lines 50-54, Col. 10, lines 22-31).

As per claims 2, 34, Verba, et al discloses:

Further comprising the step of applying a predictive model to said prospects...(Col. 10, lines 41-48);

As per claims 3, 4, 24, 35, 36, Verba, et al discloses:

Further comprising the step of transferring said intender lead to an interested party.../ Wherein the transferring step occurs before said potential future purchases... (Col. 10, lines 26-28);

As per claims 5, 37, Verba, et al discloses:

Further comprising the step of initiating a direct marketing contact...(Col. 10, lines 14-17 w/ Col. 10, lines 26-28).

As per claims 6, 8, 25, 38, 40, Verba, et al discloses:

Wherein said prospect identifiers are selected from the group consisting of telephone numbers, email addresses.../wherein said additional information comprises contact information...(Col. 18, lines 51-53, Col. 19, lines 1-7, Col. 20, lines 43-44 w/ Col. 21, lines 1-2).

As per claims 7, 39, Verba, et al discloses:

Further comprising the step of obtaining additional information associated with said prospects from a profile database...(Col. 12, lines 22-23 w/ Col. 20, lines 43-44 w/ Col. 21, lines 1-2).

As per claims 9, 26, 41, Verba, et al discloses:

Wherein said additional information comprises data enhancement...(Col. 20, lines 43-44 w/ Col. 21, lines 1-2).

As per claims 11, 28, 29, 43, Verba, et al discloses:

Wherein said files are selected from the group consisting of classified advertising.../wherein said auxiliary data includes a classification of a product...(Col. 8, lines 40-45).

As per claim 18, Verba, et al discloses:

Wherein said auction boards comprise bids for auctioned items...(Col. 7, lines 29-40).

As per claims 22, 32, 46, Verba, et al discloses:

Wherein said distributed computer system is in the Internet...(Abstract, lines 15-17).

As per claim 23, Verba, et al discloses:

Identifying purchase indicators...(Col. 9, lines 28-34);

Extracting prospect identifiers...(Col. 9, lines 36-38, lines 50-54, Col. 10, lines 22-31);

Obtaining contact information...(Col. 12, lines 22-23 w/ Col. 20, lines 43-44, w/ Col. 21, lines 1-2);

Applying a predictive model...(Col. 10, lines 41-48);

Transferring contact information...(Col. 10, lines 26-28);

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 27, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verba, et al (US Patent 6,236,977), and further in view of Cannon (US Patent 6,286,005).

As per claims 10, 27 and 42, Verba, et al fails to teach the following, however Cannon discloses:

Further comprising the step of extracting auxiliary data...(Col. 12, lines 55-58).

It would have been obvious to one of ordinary skill in the art to extract auxiliary data from the purchase indicators with the motivation of determining outside influences which may have an effect on lead purchasers.

Claims 12-14, 30, 31, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verba, et al (US Patent 6,236,977).

As per claims 12-14, 30, 31, 44 and 45, Verba, et al doesn't explicitly disclose the following:

~~wherein said purchase indicators comprise classified automobile sales...classified home sales...classified boat and RV sales...~~

It would have been obvious to one of ordinary skill in the art for the purchase indicators to comprise classified automobile sales, classified home sales and classified boat and RV sales because Verba, et al discloses that purchase indicators can be classified advertisements in Col. 8, lines 40-45. Classified automobile sales, classified home sales and classified boat and RV sales all fall into the classified advertisements category.

As per claims 15, 16, 19-21, Verba, et al fails to disclose the following:

Wherein said purchase indicators comprise  
resumes...engagement/wedding announcements, birth  
announcements...obituaries...

Official notice is taken that it is old and well known in the art for a purchase indicator to comprise resumes, engagement/wedding announcements, birth announcements and obituaries. It would have been obvious to one of ordinary skill in the art for the purchase indicator to comprise resumes, engagement/wedding announcements, birth announcements and obituaries with the motivation of demonstrating the ability to present the purchaser with items of everyday interest, thereby encouraging prospect leads to come forward and make purchases.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Verba, et al (US Patent 6,236,977), and further in view of Lazarus, et al (US Patent 6,236,977).

As per claim 17, Verba, et al fails to disclose the following:

Wherein said postings comprise requests for purchase  
recommendations...(Col. 5, lines 18-27).

It would have been obvious to one of ordinary skill in the art to post requests for purchase recommendations with the motivation of providing information about items being purchased thereby making it easier to determine potential leads.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R-B.  
April 29, 2002

TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100